TABLE OF CONTENTS

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 01/24/05	Bureau/Station/Facility: ELA/ REGION II	Admin. Invest.? ☐ Hit? ☐

Incident Information

URN: 405-00899-0281-055	Date: 01/23/05 Time: 2320 hrs.
City or Station: East Los Angeles	Nature of Incident: While on routine patrol, Deputies Ramos and Mosquera observed several gang members, possibly tagging. Suspect Rodriguez fled, pointing a gun at the deputies as he did. Fearing for his safety, Deputy Ramos fired one shot, which missed the suspect. The suspect was taken into custody without further incident.
Location: Floral Dr. east of McDonnell Ave., E.L.A.	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **(Street)** [circled], Other: ________

Lighting (*circle only one*): Darkness, Daylight, Other, **(Street Lights)** [circled]

Weather (*circle only one*): **(Clear)** [circled], Cloudy, Fog, Rain

Distance: 40 ft.

Incident Type (*circle one or more*): Accidental, **(Armed Person)** [circled], **(Fleeing Suspect)** [circled], **(Foot Pursuit)** [circled], Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Other: ________

Initiated by (*circle only one*): Arrest Warrant, Call, **(Observation)** [circled], One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **(Routine Patrol)** [circled]

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
1	0	☐	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Mosquera	John	C	**(EM)** PM Day	**(Regular)** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.		
	Pedro	A		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Last Name	**First Name**	**M.I.**		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Last Name	**First Name**	**M.I.**		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Moreno	Abel	A	**(On Duty)**, Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Somoano	Ignacio	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Sisneros	GREG	K

PSTD Use Only

SH # SH2137568

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

URN: 405-00899-0281-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01/24/05	1310	01/24/05	

Employee #	Last Name	First Name	M.I
[redacted]	KEY	GREGORY	L.
[redacted]	Reyes	Henry	J.
[redacted]	Jennings	Rickey	D.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FH	BR	9	Y	Y	NN	
S#1	E#1	FH	ZZ	WW			NN	

See Front Side

Officer Involved Shooting
Involved Employee Information



URN: 405-00899-0281-055

Involved Employee

E 1

Employee # [redacted]	Last Name: Ramos	First Name: Hugo	M.I.: F.
Sex: M Race: H	Rank: Deputy	Unit Assignment: E.L.A..	Work Assignment (Unit #, Module, etc.): 213
ShiftTime (*circle only one*): (EM) PM Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☒
Hrs of sleep prior to shooting: 6 hrs.	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 507	Weight: 165		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting Suspect Information

N: 405-00899-0281-055

Suspect Information

S 1

Last Name Rodriguez		First Name Sergio	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: HISPANIC	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: n/a	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 23 D.O.B. 06/23/81	Height: 509 Weight: 210	FBI # [redacted]	CII # [redacted]
Booking # 8431657	Primary Charge: 664/187 PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S__

Last Name N/A		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	405-00899-0281-055	Date:	01/23/05	Time:	2320 hrs.
Location:	Floral Drive east of Mc Donnell Ave., East Los Angeles				
City or Station:	East Los Angeles				
Bureau/Station/Facility:	Region II /East Los Angeles Station	Admin. Investigation:	YES ☐ NO ☒		

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Mosquera	John	C.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Moreno	Abel	A.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☐
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Somoano	Ignacio	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Sisneros	GREG	K.

Watch Commander's Signature: ______________________ Emp #: ______________

Copy Provided to Employee by: ______________________ Emp #: ______________

Supervisor Completing Form: Gregory L. Key (Print) Emp #: [redacted]

Unit Commanders Signature: ______________________ Emp #: ____________ Date Signed: ____________

PSTD Use Only

FO# 2137560

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 405-00899-0281-055

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED

(Only One Code Per Block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FH	NN	
E#1	S#1	TD	NN	
S#1	E#1	FH	NN	

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 405-00899-0281-055

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Ramos	Hugo	F.

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	H.	East Los Angeles Station	Unit 21/ EM

Shift		Age	Height	Weight
☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	507	165

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case #	Force
☐			Directed Force ☐ Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☐

See Other Side

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 405-00899-0281-055

Suspect Information

S1

Last Name	Rodriguez	First Name	Sergio	Middle Name	NMN
AKA Last Name		First Name		Middle Name	

Sex:	Race:	Street Address:	City:	State & Zip Code:
☒ Male ☐ Female	H	[redacted]	[redacted]	[redacted]

Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed?
[redacted]	[redacted]	23	509	062381	210	☒

Booking #: 8431657 Primary Charge: 664/197 Secondary Charge: Criminal History [redacted]

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☒ NO Substance: ____________

Photos of Suspect's Injuries ☐ YES ☒ NO

Suspect Interview

Date:	Time:	Audiotape:	Videotape:
01/24/05	0814	☒	☐

Suspect Information

S_

Last Name	First Name	Middle Name
AKA Last Name	First Name	Middle Name

Sex:	Race:	Street Address:	City:	State & Zip Code:
☐ Male ☐ Female				

Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed?
						☐

Booking #: Primary Charge: Secondary Charge: Criminal History ☐

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: ____________

Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date:	Time:	Audiotape:	Videotape:
		☐	☐

Suspect Information

S_

Last Name	First Name	Middle Name
AKA Last Name	First Name	Middle Name

Sex:	Race:	Street Address:	City:	State & Zip Code:
☐ Male ☐ Female				

Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed?
						☐

Booking #: Primary Charge: Secondary Charge: Criminal History ☐

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: ____________

Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date:	Time:	Audiotape:	Videotape:
		☐	☐

See Other Side

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED NON-HIT SHOOTING
IAB SH 2137568
IAB FO 2137560
URN: 405-00899-0281-055

On Sunday, January 23, 2005, at about 2400 hours, Sergeants Gregory Key and Henry Reyes and Lieutenant Rickey Jennings of the Internal Affairs Bureau responded to North Corporate Center Drive and Floral Drive, East Los Angeles, regarding a Deputy Involved Non-Hit Shooting involving East Los Angeles Station personnel.

SUMMARY

On Sunday, January 23, 2005, East Los Angeles Station Deputy Hugo Ramos and his partner, Deputy John Mosquera, #[redacted] were working Unit 21, a two-person patrol unit. Deputy Mosquera was the driver and Deputy Ramos was the bookman. Mosquera drove east on Floral Drive approaching N. Corporate Center Drive (at this location, N. Corporate Center Drive turns into N. McDonnell Avenue, south of Floral Drive), when both he and Ramos observed a group of gang members standing near the west side of the building, on the southeast corner of Floral Drive and N. McDonnell Avenue. Believing these individuals were painting graffiti on the building, Deputy Mosquera turned southbound on north McDonnell Avenue. As he stopped the radio car along side these individuals, one of the males (Suspect Rodriguez) separated himself from the group and began walking fast, north on Mc Donnell. Rodriguez reached into the right side of his waistband with his right hand as if he was holding something and began running toward Floral Dr.

Believing the suspect was armed with a gun, the deputies exited their radio car and began chasing the suspect. The suspect ran north of Mc Donnell to east on Floral Drive, holding his waistband with his right hand. The suspect continued running and ran across the eastbound lanes of Floral Drive to the westbound lanes, in a northeasterly direction. Both deputies continued chasing the suspect, with Deputy Ramos running a few feet in front of Deputy Mosquera. Deputy Ramos yelled at the suspect numerous times to stop running and to raise his hands in the air.

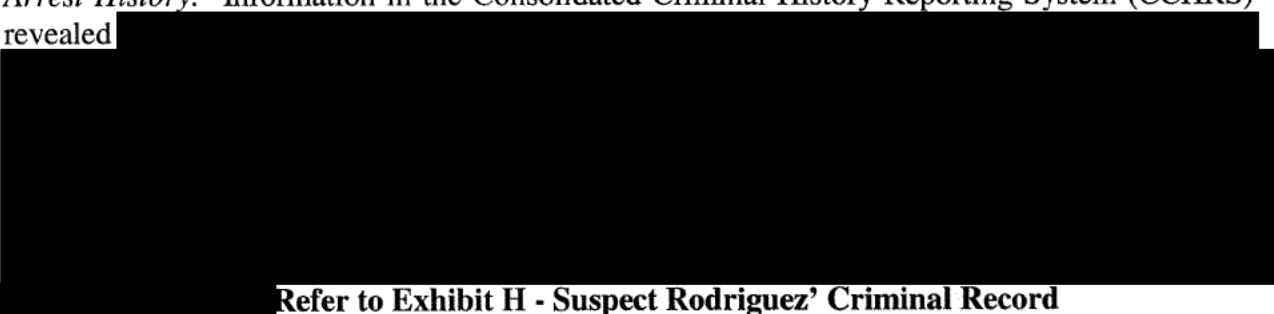
Both deputies stated that they saw suspect Rodriguez look backwards in their direction, and with one continuous movement, remove a black object from his waistband with his right hand, extend his right arm backwards, and point the object in their direction. Deputy Ramos believed the suspect had armed himself with a handgun. Fearing for his safety and the safety of his partner, Ramos fired one round from his duty weapon, missing the suspect. The suspect screamed, threw the dark object onto an ivy-covered embankment, and continued running eastbound on Floral Drive. A few yards later, Deputy Ramos caught up to the suspect and tackled him. With the assistance of Deputy Mosquera, the suspect was taken into custody without further incident.

INVOLVED PERSONNEL:
RAMOS, Hugo, Deputy, #[redacted]

Date of Employment: September 27, 1995
Date assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

SUSPECT:
RODRIGUEZ, Sergio MH/23 BK # 8431657 509" 210
Arrest History: Information in the Consolidated Criminal History Reporting System (CCHRS) revealed [redacted]



Refer to Exhibit H - Suspect Rodriguez' Criminal Record

WITNESSES:
Sworn:
Deputy John Mosquera

Civilian:
None

> **IAB Note:** There were no civilian witnesses to the actual shooting, however, East Los Angeles station detectives interviewed several people that heard a gunshot. **Refer to Exhibit C, Crime report # 405-00900-0281-054.**

INVOLVED EMPLOYEE'S STATEMENTS:
DEPUTY HUGO RAMOS
On January 24, 2005, Internal Affair Bureau Sergeants Key and Reyes interviewed Deputy Hugo Ramos, at East Los Angeles Station. The interview was tape recorded. Deputy Ramos wrote the complaint report. Information contained in both the complaint report and the interview or essentially the same and are summarized as follows:

On January 23, 2005, Deputy Ramos was assigned to East Los Angeles Sheriff's Station. He was assigned to Unit 21, a two-person patrol unit, with his partner Deputy John Mosquera. Deputy Mosquera was the driver and Deputy Ramos was the bookman.

Deputy Ramos stated that as he and Deputy Mosquera drove east on Floral Avenue, toward McDonnell, he looked to his right and saw several people dressed in gang attire. Two of the males were wearing black, one male was wearing white, and two females were also present. On a wall behind them was some tagging (three letters). Ramos told Mosquera that the individuals might be committing vandalism. The deputies turned right onto McDonnell Avenue and parked their patrol vehicle parallel to the individuals, which placed the individuals left of the deputies. The male wearing all white (later identified as Suspect Sergio Rodriguez) looked at the deputies with a startled look, grabbed his waistband with his right hand, and immediately started running north on McDonnell Avenue. Ramos said that both he and Mosquera gave chase.

Deputy Ramos stated that when Suspect Rodriguez reached Floral Avenue, he turned right and continued running east. Ramos said that he continued chasing the suspect, but that when he got to the intersection of Floral Avenue and McDonnell Avenue he (Ramos) slowed down and cleared the corner to make sure the suspect was not lying in wait for him Ramos said that he does not believe he stopped when he cleared the corner, just slowed down.

Ramos said that his mind set was that a week prior to the incident he was on a vandalism call. When he arrived, he saw several gang members standing next to a wall that had graffiti on it. Upon seeing the deputies a gang member ran. A containment was established and a suspect was apprehended. The suspect was found to be armed. Ramos said that he felt that Suspect Rodriguez might be armed as well.

Deputy Ramos said that as he cleared the corner (southeast corner of McDonnell avenue and Floral Avenue) he saw Suspect Rodriguez running east, in the middle of the street. Ramos said that as he gave chase, he ran with his gun out and watched Rodriguez hands. He ordered the suspect to stop running and to put his hands up. Ramos stated that Rodriguez continued running with his right hand in his waistband. Ramos said that as Rodriguez crossed the westbound lanes of Floral Avenue, he looked back, pulled an object out of his waistband, turned to his right and back toward him (Ramos), and with an aiming motion, pointed something at him. He described the pointing motion as the suspect's right arm being straight pointing directly at him. Ramos said that he was already on target and believed the object pointing at him was a weapon. He stated that he feared for his life and fired one round at the suspect. Ramos stated that the suspect screamed and threw the object into the bushes, north of his location. He said that Rodriguez placed his hands in the air, slowed down, but continued to run. Ramos said that he then broadcast he was involved in a shooting. He stated that he holstered his weapon, caught up to Rodriguez, grabbed him in a bear hug and tackled him to the ground. Ramos said that Rodriguez fell to the ground face first. He further stated that Deputy Mosquera arrived two or three seconds later and assisted him in handcuffing the suspect. Ramos said

that as they handcuffed the suspect, he grabbed the suspect's right hand and Mosquera grabbed the suspect's left hand. He said that the suspect offered no further resistance and was handcuffed without incident. Ramos said that the entire foot pursuit lasted between ten and fifteen seconds and the entire incident including the handcuffing lasted approximately thirty to forty seconds. Sergeant Reyes asked Ramos if he noticed any injuries to the suspect. Ramos said no.

I asked Deputy Ramos how far was the suspect in front of him during the pursuit. He said approximately forty-eight feet. Ramos stated that when he shot at the suspect he was in the middle of the street and the suspect was in the number two lane. I asked him if he knew where his partner was during the pursuit. He said that he knew Deputy Mosquera was behind him because they exited the patrol car at the same time and because he could hear his partner running behind him. I asked Ramos what was his backdrop when he shot at the suspect. He said the ivy-covered hillside.

Deputy Ramos said that LASD canine was called out to help locate the suspect's weapon. Canine located the weapon in shrubbery north of their location. Ramos said that the weapon canine recovered was dark and appeared to be the same object he saw the suspect point at him.
See Exhibit C- Crime labs report and Exhibit D - photos of crime scene and suspects weapon.

On June 27, 2005, I conducted a follow up interview with Deputy Ramos. The interview was conducted at East Los Angeles sheriffs' station and was tape recorded. The following is a synopsis of that interview.

I asked Deputy Ramos if either he or his partner, Deputy Mosquera, pursue the suspect in their patrol vehicle. He said no. I asked Ramos if either he or Mosquera use force on the suspect other than handcuffing him. He said no. I asked if either he or Mosquera kick the suspect. He said no. I asked if the suspect complained of pain or asked to see a paramedic. He said no.

SWORN WITNESS STATEMENTS:

DEPUTY JOHN MOSQUERA

On January 24, 2005, Internal Affair Bureau Sergeants Key and Reyes interviewed Deputy John Mosquera, at East Los Angeles Station. The interview was tape recorded. Deputy Mosquera also wrote a supplemental report **(Exhibit B).** Information in both the supplemental report and the interview contain essentially the same information and are summarized as follows:

On January 23, 2005, Deputy Mosquera was assigned to East Los Angeles Sheriff's Station. He was assigned to Unit 21, a two-person patrol unit, with his partner Deputy Hugo Ramos. Deputy Mosquera was the driver and Deputy Ramos was the bookman. Deputy Mosquera stated that as he drove east on Floral Avenue, toward McDonnell Avenue, Ramos told him that there were several people on the southeast corner tagging the building. Mosquera said that he turned right onto McDonnell Avenue and contacted the individuals. Mosquera stated that one of the individuals, a

male Hispanic dressed in light clothing, gave them a startled look and began running north on McDonnell Avenue. Mosquera said the suspect, later identified as Suspect Rodriguez, ran with his hand in his waistband, which is a common place to hide weapons.

Deputy Mosquera said that Deputy Ramos exited the vehicle and began chasing the suspect. Mosquera said that he put the patrol car in park and also began chasing the suspect. Mosquera said that when Suspect Rodriguez reached Floral Avenue he ran east. Mosquera said that as the suspect crossed into the westbound lanes, he (Rodriguez) turned and with his right hand pointed what he (Mosquera) believed to be a firearm at them. Mosquera described the possible weapon as a dark object. Mosquera said that his partner fired one shot at the suspect. Mosquera said that he was running with his weapon in his hand, but because Ramos was directly in front of him, was unable to fire. Mosquera said that because he did not know if the suspect was going to shoot at them, he took evasive maneuvers and faired to the right. The suspect continued to run and began screaming. Mosquera said that Rodriguez made an overhand motion and threw the weapon into some bushes. He stated that he thought the suspect was shot because of the loud scream. Mosquera said that the suspect continued running east in the westbound lanes. He stated that Ramos contacted the suspect first, tackling him to the ground. Mosquera said that he then caught up with them and assisted handcuffing Rodriguez. Mosquera said that Ramos then put out an assistance request.

I asked Deputy Mosquera how far behind Deputy Ramos was he. He said twenty to thirty feet. I asked him how far behind the suspect was Ramos. He said about the same distance, maybe further. I asked Mosquera if he could tell that the suspect was pointing a weapon at him. He said that given the suspect's prior actions, running with his hand in his waistband, turning toward them, locking his arm and pointing the dark object at them, he had no doubt the suspect was intending on firing at them.

I asked Deputy Mosquera what was his part in the handcuffing of the suspect. He said that Deputy Ramos and the suspect were on the ground when he arrived. Mosquera said that he grabbed the suspect's right hand and Ramos grabbed the suspect's left hand. Ramos then handcuffed the suspect behind his back. Mosquera said the suspect was handcuffed without any further resistance. I asked Mosquera how long were Ramos and the suspect on the ground before he arrived. He said maybe five seconds. I asked him how long did the foot pursuit last. He said five to ten seconds. I asked him if he saw where his partner's round went when he fired at the suspect. He said in the direction of the suspect and that the backdrop was the ivy hillside.

Sergeant Reyes asked Deputy Mosquera if he maintained a visual of his partner during the foot pursuit. He said yes. Reyes asked if he or his partner ever gave the suspect any commands, like please stop. He said not that he recalled. He said that he was so concerned about the suspect having a gun he does not recall if they did or did not. Sergeant Reyes asked who broadcast that they were involved in a deputy involved shooting. He said Ramos did at the end of the pursuit. Reyes asked

if that was the first time they made a broadcast. He said yes.

I asked Deputy Mosquera how long had he and Deputy Ramos worked together. He said approximately one month. I asked if they had ever discussed tactics, specifically foot pursuits. He said yes, that the first couple of days they worked together they talked about different scenarios. They decided that if one partner runs, they both will pursue, and that if they lose sight of the suspect, they will set up a containment.

On June 27, 2005, I conducted a follow up interview with Deputy Mosquera. The interview was conducted at East Los Angeles sheriffs' station and was tape recorded. The following is a synopsis of that interview.

I asked Deputy Mosquera if either he or his partner, Deputy Ramos, pursue the suspect in their patrol vehicle. He said no. I asked Mosquera if either he or Ramos use force on the suspect other than handcuffing him. He said no. I asked if either he or Ramos hit or kick the suspect. He said no. I asked if the suspect complained of pain or asked to see a paramedic. He said no.

SERGEANT ABEL MORENO

On June 20, 2005, I interviewed Sergeant Abel Moreno at East Los Angeles Sheriff's station. The interview was tape recorded. The following is a synopsis of that interview.

Sergeant Moreno stated that on the night of the incident he was working as the field sergeant. Moreno stated that upon his arrival at the location the involved deputies reported the shooting and the incident leading to the shooting. I asked him if he recalled speaking to the suspect. He stated that he did and performed a visual check of the Suspect Rodriguez. Moreno said that he asked the suspect if he was shot. Rodriguez said no. He then asked Rodriguez if he was injured. Rodriguez said that he was not. Moreno said that he asked Rodriguez if he needed an ambulance. Rodriguez said no. I asked Moreno if Rodriguez ever requested paramedics. Moreno said that he did not. I asked if Rodriguez made any allegations of force used on him. Moreno said no, Rodriguez made no allegations. I asked if he saw any injuries on Rodriguez. He said that he did not. I asked if he recalled if there were any witnesses to the shooting. He said no.

I asked Moreno what force did the deputies report using. He said that he did not remember. I asked if he recalled the deputies vehicle being moved. He said yes, that he believes they may have moved it to protect the crime scene. I asked if the suspect was sitting in their vehicle when he arrived. He said yes.

CIVILIAN WITNESS STATEMENTS

[redacted]

On June 15, 2005, I conducted a telephonic interview with [redacted] stated that at the time of the incident he was walking on McDonnell Avenue with two female [redacted] when three men jumped out of a vehicle. Two of the men began hitting him. [redacted] said that during the attack he fell to the ground. The Sheriff pulled up in a radio car and one of the males began running north on McDonnell [redacted] said that he observed the Sheriffs' vehicle pursue the suspect. I asked if he saw a deputy chase the suspect on foot. He said that he never saw a deputy pursue the suspect on foot. I asked if he ever saw a second deputy. He said that he was not sure. [redacted] said that when the deputy arrived he exited his vehicle and told the suspect to stop. When the suspect continued to run, the deputy entered the patrol vehicle and chased the suspect in the vehicle.

I asked [redacted] if he heard a deputy yelling for the suspect to stop. He said yes. I asked him how many gunshots did he hear. He said that he heard one gunshot. I asked him if he saw the shooting. He said no. I asked if anyone else saw the shooting. He said that he does not believe so. I asked if he saw anyone run toward the shooting. He said no, that everyone ran the other direction.

On June 28, 2005, I conducted a telephonic interview with Mr. [redacted] and attempted to clarify facts surrounding the foot pursuit. Mr. [redacted] stated that at the time the deputies approached the group on McDonnell Avenue, he was on the ground being assaulted by two males. When the deputies arrived the assault ended and everyone either ran or drove away. I asked him what he did when Suspect Rodriguez walked away. He said that he too walked away from the scene. I asked if he walked the same direction that Rodriguez ran. He said that he went the opposite direction. I asked if he saw anyone run in the direction Rodriguez ran. He said no.

> **IAB NOTE: Rodriguez ran north on N. McDonnell Avenue. [redacted] said he walked south toward the freeway.**

I asked Mr. [redacted] if he saw when the patrol vehicle left to pursue the suspect. He said that he did not see the vehicle leave because he was on the ground. However, he does recall seeing the vehicle turn right onto Floral Avenue. I told [redacted] that the patrol vehicle was facing south. I asked if he saw the patrol vehicle turn around when he pursued the suspect or if the vehicle pursued the suspect in reverse. He said that he was not sure and only recalled seeing the vehicle turn right.

I asked Mr. [redacted] if he remembered hearing the gun shot. He said that he did not hear a gunshot.

> **IAB NOTE: In my first interview with [redacted] he said that he heard one gunshot.**

I asked Mr [redacted] if he remembered hearing the deputies tell the suspect to stop. He said that he did not hear the deputies yelling for the suspect to stop [redacted] said that he is not sure what he heard because he was on the ground.

> **IAB NOTE: In my first interview with Mr [redacted] he stated that he heard the deputies yelling at the suspect to stop.**

I asked Mr [redacted] if he knows how long he was on the ground after the deputies arrived. He said six to eight minutes. I asked if anyone checked on his welfare. He said no, because he walked away. I then attempted to clarify exactly what Mr [redacted] was doing when the deputies arrived. He stated that as soon as the deputies arrived, he immediately got up and left the area. I asked him if he looked back when he walked away. He said no.

> **IAB NOTE: In an earlier statement [redacted] said that he walked away when Suspect Rodriguez walked away, He then changed and said he was on the ground for six ti eight minutes after the deputy arrived. When asked if anyone checked on his well being he said no because I walked away.**

I asked Mr [redacted] if he knows if the deputies immediately chased the suspect, or if they ran and then came back to get the vehicle. He said that he is not sure. I asked if he saw the deputy exit his vehicle. He said no. I asked why did the deputy chase the one suspect and not anyone else. He said that he does not know.

> **IAB NOTE: I attempted to clarify facts surrounding the pursuit of Suspect Rodriguez. During my interview with Rodriguez, he stated that one of the deputies pursued him in a patrol vehicle. When interviewing the deputies they denied pursuing the suspect in the patrol vehicle stating the foot pursuit lasted only a few seconds. During my interview with Mr. [redacted] he stated that he only saw one deputy and that the deputy pursued the suspect in a patrol vehicle.**

DR. KUTTLOVE

On June 20, 2005, I conducted a telephonic interview with Dr. Kuttlove of the East Los Angeles Doctor's Hospital. Due to a problem with the recording, only my voice can be heard responding on tape. I asked Dr. Kuttlove about the x-ray taken of Suspect Rodriguez, on January 24, 2005 **(Exhibit F)**. Dr. Kuttlove stated that the x-ray is of Rodriguez chest area. I asked if he could determine if any bones were broken. He stated that it appeared that Rodriguez has a broken bone in the left rib area. I told him that Rodriguez stated that his ribs had been broken several months ago during a gang fight. I asked if he could tell if the injury to his rib was a new break or one associated with an old break.

He stated that because the x-ray is a chest x-ray and not one which shows the rib area better, he could not say for sure. Dr. Kuttlove said that when he looked at the x-ray, he did not see any calcification. Calcification would indicate healing of a broken bone. Dr. Kuttlove said that because of the lack of calcification and the angle of the x-ray, he would have to say that this injury occurred within forty-eight hours of Rodriguez coming to the hospital. I asked him if the injury could have occurred from someone hitting or kicking the suspect. He said yes. I asked if the injury could have occurred from being tacked on asphalt or cement. He said yes.

SUSPECT STATEMENTS:
SERGIO RODRIGUEZ

On January 24, 2005, at 0814 hours, Internal Affair Bureau Sergeants Key and Reyes interviewed Suspect Sergio Rodriguez, at East Los Angeles Station lock-up. The interview was tape recorded. The following is a synopsis of that interview:

Suspect Sergio Rodriguez stated that he and some friends were standing next to a building when they were contacted by the police. Rodriguez said that when he saw the police he began running toward Floral Drive. He turned the corner from northbound Mc Donnell to east on Floral Drive. As he did so, he heard the deputy yell at him to stop. Rodriguez said that he put his hands up but kept running and that is when the police shot at him. Rodriguez said that he stopped and the deputy came running toward him and said, "I'll shoot you."

Suspect Rodriguez said that he was scared when the Deputy shot at him and that is why he kept running. He said that he was running east on the sidewalk when the deputy driving the car cut him off. Rodriguez said that the deputy told him to get down, and he complied. He stated that when he laid down on the ground, the deputy driving the vehicle contacted him first and began kicking him on the right side of his rib cage. Rodriguez said that he yelled at the deputy that he was already on the ground. The deputy told him that he "fucked up." The deputy who was chasing him on foot then arrived and began kicking him on the left side of his ribs. They then both began punching him on the back of his shoulders. Rodriguez said that after they punched and kicked him, he was handcuffed and the beating ceased.

Suspect Rodriguez denied having a gun and said that he never resisted after lying on the ground. Rodriguez said that the driver kicked him one time in the right side of his rib cage, kneed him in his upper back, and punched him twice in his upper middle back. The driver deputy then placed his right hand behind his back. The other deputy then ran up and kicked him once on the left side of his rib cage, punched him in the rear of his upper back, and placed his left hand behind his back.

I asked Suspect Rodriguez if the paramedics examined him. He said no. Rodriguez said that the Fire Department said they came because shots were fired. He said that he asked to see the paramedics but the deputies told him to shut up and then told the paramedics to leave.

Suspect Rodriguez said that he did not have a gun. He said that he ran because he is on probation and that it is a violation of his probation for him to be in with his friends.

Suspect Rodriguez stated that six or seven months ago he was jumped by some guys who broke his left ribs. He further stated that he was not injured from the deputies' assault but that his ribs were some what sore.

When asked if he knew if anyone saw the incident, Suspect Rodriguez stated that he saw some people on the corner, but could not recognize who they were. He further stated that he could not confirm if they were his friends or not.

I took photographs of Suspect Rodriguez body **(Exhibit I)**. I did not observe any swelling or bruising. Because he complained of pain, we had the East Los Angeles Station jailer send Rodriguez to the hospital for examination.

On January 26, 2005, I drove to the Los Angeles County Inmate Reception Center, to re-interview Suspect Rodriguez. I asked Suspect Rodriguez to explain the events of the night of his arrest. Rodriguez said that he began running. One deputy chased him on foot and the other deputy stayed in the car. Rodriguez said that after the deputy who chased him on foot shot at him (Deputy Ramos) the driver (Deputy Mosquera) chased him with his patrol vehicle. Rodriguez said that he did not see the driver chase him before the gunshot. But after hearing one gunshot he heard the sound of the patrol car's engine. Rodriguez said he looked back and saw the patrol car coming. Rodriguez said that he then laid down on the ground.

I asked Suspect Rodriguez if he thought the people who were with him saw the incident. He said that he does not know. He further stated that he is not sure but that he thinks he may have seen someone on the corner when he was arrested. I asked Rodriguez who was with him that I could speak with. He said [redacted] and [redacted] and another unknown male (nfd).

Suspect Rodriguez said that the deputy who was driving the patrol vehicle was the first one to contact him. He stated that the driver pulled in front of him and told him to stop. Rodriguez said that he placed his hands up in the air and laid down on the ground. The driver exited his vehicle at gunpoint, kneed him in his upper back, grabbed his right hand and placed it behind his back. The deputy who was chasing him ran up and kicked him twice in his left rib cage area. The driver then kneed him again. Both deputies began elbowing him in the upper rear shoulder area. Rodriguez said that after he was handcuffed the deputies stopped hitting him.

I asked Suspect Rodriguez what was the intensity of the kicks. I asked him that if the intensity of the kicks were on a scale from one to ten, with ten being the greatest intensity, where would the kicks

fall on the scale. He said seven or eight. Rodriguez said that they kicked him but that they did not kick him as hard as someone would kick if they really wanted to hurt someone.

As I went over the details of the kicks again with Suspect Rodriguez, he stated that the first deputy (a driver deputy, Deputy Mosquera) did not kick him, only hit him with his elbows. Rodriguez said that the second deputy (Deputy Ramos) kicked him twice.

IAB NOTE: In my first interview with Suspect Rodriguez, he stated that both deputies kicked him in his ribs. He stated that Deputy Ramos kicked him on the left side of his torso, in the ribs and Deputy Mosquera kicked him on the right side of his torso, in his ribs.

I asked Suspect Rodriguez if the paramedics rendered him medical care. He said no, because the deputies told them to leave. I asked him if he knew which Deputy told the paramedics to leave. He said the driver. I asked him if he knew which deputy was taller or shorter, the driver or the deputy who chased him on foot. He said he did not know. I asked if a sergeant or anyone checked on him to see how he was doing. He said no.

Suspect Rodriguez said that the doctor told him his rib cage was cracked. I asked him if he could have possibly injured himself in the altercation that occurred prior to his contact with the deputies. He said that he was not involved in that altercation, and could not have injured himself then. **For further on the prior altercation see Exhibit C.**

On June 21, 2005, I went to the Inmate Reception Center and checked Suspect Rodriguez personal clothing for possible shoe prints. A check of the clothing revealed no shoe prints or scuff marks.

INJURIES:

Suspect Sergio Rodriguez had no visible signs of injury. However, during his interview with IAB he complained of pain to left side of his upper torso (rib area). Rodriguez said that six or seven months ago his left ribs were broken in a gang fight. Rodriguez alleged he was elbowed and kicked in the upper back and sides by both deputies and that he his ribs wee sore.

IAB Sergeant Henry Reyes had East Los Angeles Station transport Suspect Rodriguez to the hospital (East Los Angeles Doctor's Hospital) where he was seen by DR. Scott Reiter. Dr. Reiter had x-rays taken and stated that there was a possible rib fracture on Rodriguez's left side. An x-ray confirmed Rodriguez had a left rib fracture.

No deputies were injured.

PHYSICAL EVIDENCE:

The suspect's weapon was recovered from the north side of Floral Drive, in a hillside covered with ivy. Deputy Ramos expended cartridge was not recovered, as the round went into a hill side covered with ivy. **Refer to Exhibit E - Crime Lab's report and Scene Diagram**

INVESTIGATOR OBSERVATIONS:

While at the incident scene, I observed graffiti on the west wall of the building located on the southeast corner of McDonnell Avenue and Floral Avenue. I also observed an expended 9mm shell casing laying on Floral Avenue east of McDonnell Avenue.

West of McDonnell Avenue on Floral Avenue, I observed the involved deputies' vehicle parked on the southside of the street next to the curb. I asked Deputy Mosquera why was the patrol vehicle moved. He stated that after apprehending the suspect, he went back and retrieved the vehicle and placed suspect Rodriguez in the back seat.

Upon interviewing suspect Rodriguez, I did not observe any bruising or marks related to his arrest. **See Exhibit I - Photographs of Suspect [redacted]**

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Ramos fired one round from his duty weapon: **Beretta 9mm Luger Caliber, Model 92FS, double action semiautomatic pistol, Serial Number BE[redacted]**

WEAPONS USED BY SUSPECT:

Suspect Rodriguez weapon was a **Hi Point Firearms, 380 caliber, serial number P[redacted] Semiautomatic handgun, which contained one magazine and seven live rounds.**

PROPERTY DAMAGE:

None

LIGHTING AND WEATHER CONDITIONS:

This incident occurred during the night time hours. The weather was cool and clear. The area was well lit with nearby street lights on both sides of the street.

CRIMINAL INVESTIGATOR/CHARGES FILED:

East Los Angeles Station Detectives
INVESTIGATOR RANDY HASNAS #[redacted]
INVESTIGATOR

On January 25, 2005, Los Angeles County Deputy District Attorney Hector Guzman reviewed the facts of this case and filed charges of 245 (a)(2) PC-Assault with a Deadly Weapon, and 12031 (a)(1) PC - Possession of a Loaded Firearm.